

Applicant: Clarke, et al.
Application No.: 09/653,095

Attorney Docket No.: ELIBER.001A
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Filed: August 31, 2000

PATENT METHODS AND SYSTEMS FOR A DYNAMIC NETWORKED COMMERCE ARCHITECTURE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS

I, the undersigned, do hereby declare that:

☒ I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: ELIBERATION.COM INC.

ADDRESS OF CONCERN: 23046 Avenida de la Carlota, Suite 300, Laguna Hills, CA 92653

I further declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I further declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Heath B. Clarke

TITLE OF PERSON: President

SIGNATURE: _____

DATE: _____

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DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS AND SYSTEMS FOR A DYNAMIC NETWORKED COMMERCE ARCHITECTURE, the specification of which was filed on August 31, 2000 as Application No. 09/653,095.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of the United States provisional application listed below.

Application No.: 60/151,872

Filing Date: August 31, 1999

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Heath B. Clarke**

Inventor's signature _____

Date _____

031901

Residence: **4640 Park, Newport Beach, CA 92660**

Citizenship: **Canada**

Post Office Address: **Same as Above**

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Attorney's Docket No. ELIBER.001A

Full name of second inventor: David Holmes

Inventor's signature

David A. Holmes

X

Date

3-21-01

X

Residence: ~~227 Duranito Isle, Irvine, CA 92606~~

301 Estancia, Irvine, CA 92602

Citizenship: United States

Post Office Address: Same as Above

Full name of third inventor: Theodore Tanner

Inventor's signature

Theodore Tanner

X

Date

3-21-01

X

Residence: ~~13414 Summerfield, Aliso Viejo, CA 92656~~

45 Carpentaria, Irvine, CA 92602

Citizenship: United States

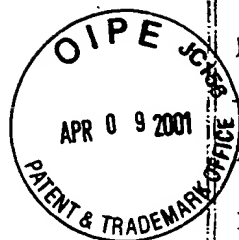
Post Office Address: Same as Above

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : Clarke, et al.)
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 App. No. : 09/653,095)
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 Filed : August 31, 2000)
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 For : METHODS AND SYSTEMS FOR A)
 DYNAMIC NETWORKED)
 COMMERCE ARCHITECTURE)
)
 Examiner : Unknown)
)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the Inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and

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revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

ELIBERATION.COM INC.

Dated: 032601

By: 
Heath B. Clarke

Title: President

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